

(1) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

Southern

District of

New York

Carmela Lanzetta

### SUMMONS IN A CIVIL ACTION

V.

Florios Enterprises Inc., d/b/a Florios Restaurant,  
Ralph Amoruso and Lawrence Amoruso

**08 CIV 6181**

CASE NUMBER:

TO: (Name and address of Defendant)

RALPH AMORUSO  
LAWRENCE AMORUSO  
C/O FLORIO'S ENTERPRISES INC.  
192 GRAND ST  
NEW YORK, NEW YORK, 10013

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

D. Maimon Kirschenbaum  
Joseph & Herzfeld LLP  
757 Third Avenue  
25th Floor  
New York, NY 10017

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

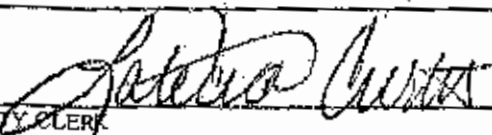
**JUL 08 2008**

**J. MICHAEL McMAHON**

CLERK

DATE

(By) DEPUTY CLERK



## UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

Carmela Lanzetta

Plaintiff

v.

Florios Enterprise Inc. d/b/a Florios Restaurant, Ralph Amoroso and  
Lawrence Amoroso,

Defendant(s)

Case No.: 08 CIV 6181

Filing Date: 07-08-2008

ATTY:

JOSEPH & HERZFELD, LLP Attorneys at Law  
757 Third Avenue, 25th Floor  
New York, NY 10017AFFIDAVIT OF SERVICE

STATE OF New York: COUNTY OF Kings ss:

I, LOAI F. SARSOOR, being duly sworn deposes and says deponent is not a party to this action, I am over the age of eighteen years and reside in the state of New York. That on JULY 28, 2008 at 2:10 PM at 192 GRAND STREET, NEW YORK, NY 10013, recipients RESTAURANT deponent served the within SUMMONS IN A CIVIL CASE AND COMPLAINT AND DEMAND FOR JURY TRIAL on FLORIOS ENTERPRISE INC. D/B/A FLORIOS RESTAURANT, RALPH AMOROSO AND LAWRENCE AMOROSO, therein named.

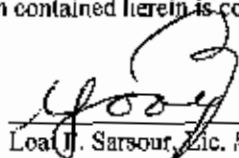
CORPORATION: a corporation by delivering thereof a true copy of each to JOHN DOE (REFUSED TO PROVIDE NAME) personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be the OWNER authorized agent thereof.

DESCRIPTION: Deponent further states that the description of the person actually served is as follows:  
Gender: Male Race/Skin: White Hair: Brown Glasses: No Age: 35 Height: 6'-0" Weight: 175

COMMENTS: I asked a waiter for an owner/officer in charge. He pointed out the individual who I served. John Doe refused to provide his name to me.

MILITARY SERVICE: Person spoken to was asked whether the recipient was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.

  
Loai F. Sarsour, Lic. #1133309

7-30-08  
Executed on:

Subscribed and sworn to before me, a notary public, on this 30th day of July, 2008.

  
Notary Public

My Commission Expires:

MARIAL BASS  
Notary Public, State of New York  
No. 01BA8107280  
Qualified in Kings County  
Commission Expires March 22, 2011

ID: 08-008319

Client Reference: Lanzetta